

REMARKS

Claims 1, 2, 5-10, and 12-14 are all the claims pending in the application, claims 3, 4, and 11 having been canceled as indicated herein. In summary, the Examiner maintains substantially the same arguments set forth in the previous Office Action, except the Examiner changes the basis for the rejection of claims 1, 2, 7-11, and 14 from § 102(e) to § 103(a) and adds a few new arguments in the *Response to Arguments* section of the Office Action on pages 9 and 10.

Specifically, claims 1, 2, 7-11 and 14 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chang et al. (U.S. Patent No. 6,715,126), hereinafter referred to as Chang. Claims 3-6, 12 and 13 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chang in view of Underwood et al. (U.S. Patent No. 6,697,825), hereinafter referred as Underwood.

§ 103(a) Rejections (Chang) - Claims 1, 2, 7-11, and 14

Claims 1¹, 2, 7-11, and 14 are rejected over Chang for somewhat similar reasons to those set forth in the previous Office Action, although the Examiner has changed the anticipation rejection to an obviousness rejection, and now admits that Chang does not disclose a single multimedia file. The Examiner also adds a few new arguments in the *Response to Arguments* section of the present Office Action.

In the previous Amendment, it was argued that Chang does not teach or suggest at least, “a multimedia file generator for generating the stored data as a single multimedia file using a predetermined format,” as recited in claim 1. In response, the Examiner alleges:

¹ Independent claim 1 has been amended, as indicated herein, to incorporate the features set forth in each of claims 3 and 4, therefore the newly added features of claim 1 will be discussed below in the section discussing the rejections of claims 3 and 4.

...Chang discloses the following in columns 2-3 of the patent, “All known techniques for delivery of such synchronized content utilize multiplexing of all of the content into a single file, followed by streaming that file using a streaming server. Often, however, the two requirements of a single file and a streaming server are undesirable added complexities.” Thus Chang teaches that it was well known in the art at the time of the invention to utilize a single multimedia file thus it would have been obvious to a person of ordinary skill in the art at the time of the invention to deliver synchronized content utilizing multiplexing of all the content into a single file.

In response, Applicant submits, contrary to the Examiner’s position, that it would NOT have been obvious to a person of ordinary skill in the art at the time of the invention to deliver synchronized content utilizing multiplexing of all the content, according to Chang, into a single file, as Chang specifically teaches away from generating stored data as a single multimedia file. *See portion of Chang block-quoted above.* Therefore, at least based on this reason, Applicant maintains that the present invention, as recited in claim 1, is patentably distinguishable over Chang.

Applicant submits that claim 9 is patentable for reasons similar to those set forth above with respect to claim 1. Also, Applicant submits that dependent claims 2, 7, 8, 10, and 14 are patentable at least by virtue of their respective dependencies from independent claims 1 and 9.

§ 103(a) Rejections (Chang/Underwood) - Claims 3-6, 12, and 13

Claims 3-6, 12, and 13 are rejected for substantially the same reasons set forth in the previous Office Action, except a few new arguments have been asserted in the *Response to Arguments* section of the present Office Action. Applicant traverses these rejections at least based on the reasons set forth in the previous Amendment, as well as those set forth below.

First, Applicant maintains that claims 5 and 6 are patentable at least for reasons similar to those set forth above with respect to the patentability of claim 1 over single applied reference Chang. Independent claim 12, as amended herein, is patentable at least for reasons similar to

those set forth above with respect to the patentability of claim 9 over Chang. Dependent claim 13 is patentable at least by virtue of its dependency from independent claim 12. Underwood does not make up for the deficiencies of Chang.

Further, with respect to claim 1 (which now incorporates the features of claim 4), it was previously argued that neither Chang nor Underwood, either alone or in combination, teaches or suggests, “wherein the predetermined units are units of lines determined by a number of pixels set by a user,” as previously recited in claim 4 and now recited in claim 1. In response, the Examiner alleges:

...Page 7 of the previous Office Action recites “Underwood teaches that a user can set the number of pixels”. See column 18 and Figure 27. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Underwood’s text alignment in the system of Chang since Underwood’s system, as Chang’s, is concerned with providing a multimedia presentation to a user comprised of images, text, audio, video, etc. and providing a means to align text allows a user to adjust the spacing and appearance of the text. See column 18, lines 25-52 of Underwood.

In response, Applicant submits that the claimed “predetermined units” relate to how the claimed text aligner automatically aligns text in a loaded text file. However, the portions of Underwood cited by the Examiner only relate to configuring a table that is to be inserted by a user. Further, nowhere does Underwood teach or suggest that the predetermined units are units of lines determined by a number of pixel set by a user. That is, there is no mention in Underwood that units of lines correlate to predetermined units. Moreover, even if, *arguendo*, Underwood teaches that predetermined units are units of lines determined by a number of pixels set by user, Underwood does not teach or suggest that the predetermined units represent the way in which a text aligner automatically aligns text in a loaded text file. Therefore, at least based on

the foregoing, Applicant submits that amended claim 1 is patentably distinguishable over the applied references, either alone or in combination.

Further, with respect to claim 5, in the previous Amendment, it was argued that neither of the applied references teaches or suggests at least, “the control signal generator checks...the number lines of the aligned text,” as recited, in part, in claim 5. In response, the Examiner alleges:

...Chang teaches that the multimedia presentation for display comprises primary media source having time increments and content from at least one secondary media source. The method comprises receiving user synchronization input regarding synchronization of the display of the content from at least one secondary media source to time increments in the content from the primary media source. See column 12. Chang teaches that the file comprises the primary (audio/video) and secondary (text, image events) is created with the synchronization input and a schedule of actions is determined. See column 12.

In response, Applicant maintains that the Examiner has still yet to address the feature of the control signal generator checking the number of lines of the aligned text, as described in claim 5. That is, even if, *arguendo*, Chang discloses what the Examiner alleges above, there is still no mention in either of the applied references of a control signal generator checking the number of lines of the aligned text.² Therefore, at least based on the foregoing, Applicant submits that claim 5 is patentably distinguishable over the applied references, either alone or in combination.

² The Examiner appears to focus on other functions of the control signal generator which are allegedly taught by the applied references.

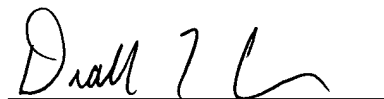
AMENDMENT UNDER 37 C.F.R. § 1.116
U. S. Application No. 09/768,790

ATTORNEY DOCKET NO. Q62214

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Diallo T. Crenshaw
Registration No. 52,778

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 11, 2005